



STATUTORY INSTRUMENTS.

S.I. No. 584 of 2024

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT)(NO. 12) (PRESCRIBED TIME FOR
MAKING CLAIM) REGULATIONS 2024

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I, HEATHER HUMPHREYS, Minister for Social Protection, in exercise of the powers conferred on me by sections 4 (amended by section 14 and reference 1 of the Schedule to the Social Welfare (Miscellaneous Provisions) Act 2024 (No. 24 of 2024)) and subsection (2) of section 241 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), hereby make the following Regulations:

Citation and Construction

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payments and Control) (Amendment)(No. 12) (Prescribed Time for Making Claim) Regulations 2024.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024.

Interpretation

2. In these Regulations—

“Principal Regulations” means the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007);

“Regulations of 2019” means the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 12) (Parent’s Benefit) Regulations 2019 (S.I. No. 554 of 2019).

Commencement

3. These Regulations come into operation on 25 October 2024.

Prescribed time for making claim

4. Article 182 of the Principal Regulations (amended by article 7 of the Regulations of 2019) is amended by the substitution of the following paragraphs for paragraph (a):

“(a) in the case of State pension (contributory), the period commencing 6 months before and ending 3 months after the date on which, apart from satisfying the condition of making a claim, the claimant becomes entitled thereto,

(ab) in the case of State pension (transition) and invalidity pension, the period commencing 3 months before and ending 3 months after the date on which, apart

from satisfying the condition of making a claim, the claimant becomes entitled thereto.”.



GIVEN under my Official Seal,
30 October, 2024.

HEATHER HUMPHREYS,
Minister for Social Protection.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

Currently, article 182 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007, provides that the prescribed time for making a claim for State Pension (Contributory) is within the period of 3 months before and 3 months after that person becomes entitled to State Pension (Contributory).

Failure to make a claim for State Pension (Contributory) within the prescribed time means that section 241(2) of the Social Welfare Act 2007 applies. This provides that where a person fails to claim within the time prescribed, that person will not be paid in respect of any period more than 6 months before the claim is made.

These Regulations amend the prescribed time for making a claim for State Pension (Contributory) so that a claim may be made up to 6 months before the date the person becomes entitled to State Pension (Contributory).

From end October 2024, an online application form for state pension (contributory) and state pension (non-contributory) will be available to claimants. To align state pension (contributory) application timelines with the state pension (non-contributory), it is necessary to increase the prescribed time for state pension (contributory) from 3 to 6 months.

The prescribed period after which a person becomes entitled to State Pension (Contributory) in which to make a claim remains at 3 months.

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